

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

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In re: MELVIN SCHILCHER  
and NICOLE SCHILCHER  
Debtors.

Case No.: 2013-23779-SVK-13

Chapter 13

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Melvin and Nicole Schilcher have filed papers with the court requesting a modification of the Chapter 13 Plan in the above case.

**Your Rights May be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

MILLER & MILLER LAW, LLC  
735 West Wisconsin Avenue  
Suite 600  
Milwaukee, Wisconsin 53233  
(414) 277-7742  
(414) 277-1303

You must also mail a copy to:

MILLER & MILLER LAW, LLC  
735 West Wisconsin Avenue  
Suite 600  
Milwaukee, Wisconsin 53233

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is

  **X**   **the Debtor;**

       the Chapter 13 Trustee (post-confirmation only);

       the holder of an unsecured claim (Name: \_\_\_\_\_ )  
(post-confirmation modification only).

2. This is a request to modify a Chapter 13 Plan:

A.   **X**   **post-confirmation;**

B.        pre-confirmation;

i.    Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b);

ii.    Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:

**All creditors of record.**

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

**Increase plan payments for supplemental mortgage claim and application for additional administrative expenses.**

4. The reason(s) for the modification is/are:

5.           A.   X   The Chapter 13 Plan confirmed or last modified on January 22, 2014 is modified as follows:
- B.        The unconfirmed Chapter 13 Plan dated                                  is modified as follows:
1.           **Due to the recently resolved Motion for Relief Federal National Mortgage Association will file a supplemental mortgage claim.**
  2.           **Debtors' attorney filed an Application for Administrative Fees on December 15, 2016 for additional fees in the amount of \$1,347.67.**
  3.           **In order to fund the supplemental claims, Debtors will increase their payment from \$65.00 weekly to \$130.00 weekly to maintain feasibility.**

All remaining terms and provisions of the plan are unaffected unless specifically addressed herein. In the event of a conflict between the original plan and the modification set forth above, the later shall supersede and control.

6.           BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

## CERTIFICATION

1. I, Brett W. Boyer, attorney for debtors, Melvin and Nicole Schilcher, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

/s/ Brett W. Boyer  
Counsel for the debtor(s)

December 15, 2016  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: December 15, 2016

Attorneys for

Miller & Miller, LLC.

at City, State.

By:

Brett W. Boyer

Milwaukee, Wisconsin

Bar No.

1098868

MILLER & MILLER LAW, LLC  
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